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STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER
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(IN THE MATTER OF THE PROPOSED)
(SOLID WASTE MANAGEMENT PLAN)
(OF THE ATLANTIC COUNTY SOLID)
(WASTE MANAGEMENT DISTRICT)

CERTIFICATION
OF
MODIFICATION

BY ORDER OF THE COMMISSIONER:

On February 26, 1980* the Atlantic County Board of Chosen Freeholders adopted the Atlantic County Solid Waste Management Plan pursuant to the Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.).

The Department of Environmental Protection has studied and reviewed the Plan in accordance with this Legislation. The review process, established by the Solid Waste Administration in an April, 1979 Policy Memorandum entitled "Policy and Procedures for Review of District Solid Waste Management Plans", was used to evaluate the Atlantic Solid Waste Management Plan. This process was designed to incorporate both State level and public comments into the review. Generally, State agencies evaluated the Plan with regard to its impact on the State solid waste management program and their own programs, and provided advice within their own specialized areas of expertise. Public comments centered mostly on environmental concerns and the possibilities of implementing resource recovery. Additionally, the State has reviewed the Plan to ascertain whether there is sufficient clarity of facts and recommendations to permit program implementation.

Based on the results of this review and evaluation, it is my determination that the Atlantic County Solid Waste Management Plan be granted a Certification of Modification at this time, requiring satisfactory completion of the modifications listed herein.

The Department, as a result of its review of the Atlantic County District Solid Waste Management Plan, and in accordance with the Solid Waste Management Act, has made the following findings and conclusions:

- 1) The Solid Waste Management Act requires each District to include an analysis of existing solid waste collection systems and transportation routes within the Solid Waste Management District and further, to make a survey of proposed collection districts and transportation routes, and to project the transportation costs from collection districts to existing and designated solid

*Although the Atlantic County Solid Waste Management Plan was adopted on February 26, 1980, the 150 day review period required by C. 326 did not begin until the Plan was submitted to the Department of Environmental Protection, Solid Waste Administration on June 13, 1980.

waste facilities. While the Atlantic County Solid Waste Management Plan includes a survey of the various types of collection systems, the levels of service offered and the disposal sites presently used by each municipality, the Plan does not include a list of the collector/haulers servicing each municipality, the duration of their contracts, or proposed transportation routes and costs within the District to existing or available suitable sites for solid waste facilities.

- 2) The Solid Waste Management Act requires the District Plan to inventory the sources, composition and quantity of solid waste generation for each of the ten years following the year in which the Plan is prepared. The Plan does not totally comply with this requirement.
- 3) The Solid Waste Management Act requires the District Plan to include a solid waste disposal strategy which includes the maximum practicable use of resource recovery. While the Atlantic County Plan does indicate that future energy recovery feasibility studies will be undertaken, it does not provide for the on-going planning and development of high technology resource recovery systems in the near future.
- 4) The Solid Waste Management Act requires that each District Plan contain a plan for using terminated landfill disposal sites. The Atlantic County Plan does not contain such a plan for its landfills.
- 5) The Solid Waste Management Act and the guidelines and criteria adopted by the Department pursuant to the Act require the District to adopt a solid waste management strategy which includes the maximum practicable use of resource recovery, including source separation and recycling. While the Atlantic County Plan identifies existing source separation/recycling programs and markets and recommends implementation of a source separation program, the Plan lacks a comprehensive program to maximize source separation, including an indepth evaluation of specific markets and costs, the consideration of regional source separation districts and any legal, institutional or financial measures necessary to implement the program.
- 6) The Solid Waste Management Act provides that a system shall be established for uniform disposal rates within the District. The Atlantic County Plan does not include a detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area.
- 7) The Department, in its review of District Solid Waste Management Plans, finds that certain District Plans have not identified sufficient existing or available suitable sites to treat or dispose of their own wastes either in the short or long term, or both. Districts, including Atlantic County, have not entered interdistrict agreements with one another for the transportation of wastes across District boundaries. The Department finds that such interdistrict waste flow is necessary, and should be part of a comprehensive plan for solid waste management in New Jersey.

In light of the need for this interdistrict waste flow it is necessary for Atlantic County to enter into interdistrict agreements with neighboring Districts which lack short term disposal capacity.

Therefore, Atlantic County is hereby directed to make the following modifications to its adopted District Solid Waste Management Plan no later than March 1, 1981:

- 1) The Plan shall set forth sufficient data and discussion to identify the existing and proposed configuration of solid waste collection and disposal operations, such that a solid waste franchise system can be developed. This shall include a waste flow diagram, for each type of waste, which shows the existing and proposed flow of solid waste for the ten year planning period from each municipality (source) to a specific processing and/or disposal facility (destination). The waste flow plan shall include those out-of-county municipalities utilizing solid waste facilities within Atlantic County. This shall also identify the specific haulers now involved in collecting waste by municipality.
- 2) The Plan shall include a schedule (including specific milestones) for the completion of indepth studies necessary for resource recovery implementation and an indication of who will undertake the studies, an estimate of their costs, and how the studies will be funded. The studies shall include, as a minimum, the following:
 - a) the assessment of a regional resource recovery system servicing all or a portion of the four County area of Atlantic, Cape May, Cumberland and Salem, with a cost-sharing analysis distributed among the cooperating Districts (including variations thereto),
 - b) the means for securing agreements/contracts for markets for materials and energy (including those for source separation/recycling),
 - c) determination of specific facility site(s), including lot and block numbers,
 - d) collection of more reliable solid waste generation and particularly composition data, (with emphasis on seasonal fluctuations due to resort activity) and a justification for facility capacity,
 - e) identification of legal and institutional constraints and solutions thereto,
 - f) a method of financing both capital and operating costs,
 - g) environmental assessment of technology and sites,
 - h) determination of specific sites and capacity needs for the disposal of resource recovery residuals, for emergency backup and for non-processable wastes, and

- i) determination of the necessary interdistrict agreements (including a schedule for negotiating the agreements) for long term transportation, resource recovery and solid waste disposal throughout the region comprising Atlantic, Cape May, Cumberland and Salem Counties.
- 3) The Plan shall include a detailed plan for the use of each terminated land disposal sites within the County.
- 4) The Plan shall include a more comprehensive and implementable program for extracting the maximum practicable amount of recoverable materials via recycling, waste exchanges, and similar source separation programs.
- 5) The Plan shall include a detailed procedure for the uniform distribution of resource recovery and disposal costs throughout the District's service area. The Plan shall include procedures for the uniform distribution of costs necessary to upgrade existing disposal facilities to meet environmental regulations.
- 6) The Plan shall include interdistrict agreements with the neighboring Counties of Cape May and Cumberland, setting forth the necessary procedures for coordinating and integrating collection, transportation, recovery and disposal services in the area and setting forth the specific responsibilities of each District for implementation of the Plan(s).
- 7) Atlantic County shall reach an agreement with Cape May and Cumberland Counties on the amounts and types of wastes generated within these Counties and transported to either existing and/or proposed facilities within Atlantic County for each of the ten years addressed in the Plan. The agreed upon data shall be incorporated into Atlantic County's report and Plan.
- 8) In addition, Atlantic County is directed to complete the additional modifications to its Solid Waste Management Plan described in the document attached to this Certification as Appendix I by March 1, 1981.

Attached as Appendix II is a list of recommended modifications to be included in the District Solid Waste Management Plan as part of the two year review required pursuant to N.J.S.A. 13:1E-20.

In accordance with N.J.S.A. 13:1E-24, these required modifications shall be considered major modifications of the District Plan and the District is hereby directed to conduct an additional public hearing no later than 45 days from the date of this Certification.

Following submission and review of the adopted modifications, I shall, within 30 days of submittal, certify to the Board of Chosen Freeholders whether or not these modifications are acceptable and if the Plan is approved.

Further, it is noted that the Solid Waste Management Act, the Rules of the Department of Environmental Protection, and other State and Federal requirements apply to the permitting and approval of solid waste facilities. Therefore, neither

the Certification nor any future action of the Department concerning the District Solid Waste Management Plan shall be construed to be in derogation of, or inconsistent with, such other requirements.

7 November 1980
DATE

Jerry Fitzgerald English
JERRY FITZGERALD ENGLISH
COMMISSIONER

Appendix I

Additional Modifications Required by March 1, 1981

I. SOLID WASTE GENERATION

- The Plan shall include an inventory by source, type, composition, and quantity of solid waste (including sludge and septage) generated within the solid waste management District in the year in which the report is prepared and each of the ten years following the report. In addition, the Plan shall include a specific timetable for the conduct of a program to more accurately define waste generation rates and composition necessary for resource recovery implementation.

II. COLLECTION AND HAUL

- The Plan did not provide a specific analysis of industrial waste generation, transportation and disposal within the County. In addition, a strategy for the maximum recovery of industrial wastes should be developed. A specific timetable for undertaking this analysis and developing a strategy shall be included.
- The Plan should also include a strategy for increasing the efficiency of collection and transportation within the County, specifically a study evaluating the maximum utilization of transfer stations and implementation of the COLMIS or similar collection improvement system.

III. SLUDGE AND SEPTAGE

- All planning for sludge and septage will be subject to the new rules and regulations of the Department governing sludge and septage. Further, any District may include sludge and septage alternatives as part of the District solid waste management planning process, however, these alternatives will not be approved unless they conform with the Department's regulations and the 201 plans developed pursuant to the regulations.

IV. RESOURCE RECOVERY

- The Plan shall analyze and identify that part of the waste stream which could be recovered by high and low technology resource recovery, in order to minimize costs, conserve energy and enhance environmental quality. In addition to implementing the Plan's source separation component, the County should continue to explore the feasibility of modular energy recovery facilities in the higher waste generating areas of the District.

V. PUBLIC PARTICIPATION

- The Plan shall set forth an on-going comprehensive public information and participation program (e.g., newsletter, news releases, public informational meetings, etc.). This program shall identify a process

for keeping the public informed, for the receipt, evaluation and consideration of public comment, and for the integration of public participation into Plan development and implementation. While the Atlantic County Plan includes a listing of public meetings and public input, the Plan shall include documentation of all the procedures the County used for public participation in the development of its Plan.

VI. LANDFILLS

- Under Phase 2: 1981-1985 (pg. 6-7) the Plan indicates that the State will raise landfill improvement monies through a Statewide bond issue. As the current Natural Resource Bond Issue provides funds for only resource recovery and other bond issues for upgrading landfills is not certain, the District Plan should consider other methods of financing landfill improvements.
- The Plan shall provide a schedule (including specific milestones) for the completion of necessary tasks and decisions leading to the scheduled implementation of the Plan's regional landfill strategy and an indication of who will be responsible for undertaking and completing these tasks, an estimate of their costs, and how their completion will be funded. These tasks and/or decisions shall include, as a minimum, the following:
 - a. environmental assessments and permit approvals,
 - b. selection of site(s),
 - c. acquisition of property,
 - d. preparation of engineering plans and designs,
 - e. transportation/facility capacity,
 - f. facility financing,
 - g. cost analysis/rate projections, and
 - h. facility ownership/operational decisions.

VII. PLAN REVIEW AND UPDATE

- The Solid Waste Management Act requires the District Plan to contain provisions for its review by the Board of Chosen Freeholders once every two years. While the Atlantic County Plan acknowledges this requirement and indicates that the Plan will have to be updated, no specific provisions have been made in the Plan to accomplish this. Therefore, the Plan shall include specific provisions for its update.

Appendix II

Recommended Modifications for Two-Year Update of the Atlantic County Solid Waste Management Plan

I. DATA BASE

- The Plan should contain a table showing existing land distribution (amount and percent) for single family residential, multi-family residential, commercial, industrial, public and quasi-public, conservation and recreation, and open space areas.
- The Plan should include updated census data and population projections consistent with year 2000 policy projections from the New Jersey Department of Environmental Protection Draft New Jersey Water Quality Management Plan, March, 1979.
- Employment projections should be presented according to standard industrial classification to provide consistency with other District data. Methodologies and assumptions used in the formulation of estimates and projections should be included.
- The Plan should contain a section on existing major industrial and institutional developments and utilities. Proposed developments and constraints to development should also be included.

II. SOLID WASTE GENERATION

- Solid waste estimates and projections should be provided according to waste identification categories in the New Jersey Department of Environmental Protection "Rules of the Solid Waste Administration." This format will provide consistency among District data.
- The updated Solid Waste Management Plan should include, in an appendix, the specific methodology used in obtaining solid waste estimates and projections.

III. COLLECTION AND HAUL

- The Plan should contain an analysis of the feasibility of alternative collection practices. For example, municipalities offering no collection services to its residents should be made aware of the advantages to having a municipal collection system or municipal contract system.